

810-5-8-10 Procedures for Random Sampling, Questionnaire Form, and Notice of Suspension.

(1) In accordance with Section 32-7A-7(a), Code of Alabama 1975, beginning in January 2001, the Department of Revenue, or its designee, will randomly select a percentage of Alabama's motor vehicle registrations.

(2) On a weekly basis, or as the Department determines, the randomly selected vehicle owners will be mailed a Mandatory Liability Insurance Questionnaire (Form # MV-MLI-6) to be completed and returned to the Department "within 30 calendar days after the department mails a request." [Section 32-7A-7(e)]

(3) Section 32-7A-8 provides, in part, that "...the department shall notify the owner that such owner's vehicle registration shall be suspended 45 calendar days after the date of mailing the notice unless the owner within 30 calendar days furnishes proof of insurance in effect on the verification date, as prescribed by the department. The notice shall be in writing and shall be mailed... to the owner's last known address." The Department will provide a Notice of Suspension (Form # MV-MLI-7) to anyone whose registration is to be suspended pursuant to Chapter 7A of Title 32. The notice provides information to the vehicle owner regarding the suspension, including the reason for the suspension, the effective date of the suspension, the earliest date the suspension may be removed, and any fees required to end the suspension. The notice provides additional information as to what procedures the vehicle owner must follow to prevent registration suspension or to have his or her vehicle registration reinstated.

(4) If the vehicle owner receives a Questionnaire or Notice of Suspension (NOS) and the subject vehicle was insured by a company qualified to transact business in Alabama on the insurance verification date shown on the questionnaire or NOS for the vehicle and vehicle license plate identified, the vehicle owner is required to provide the following information by one of the methods provided in this rule:

(a) The name of the insurance company that is qualified to transact business in Alabama;

(b) NAIC Number of the insurance company;

(c) The address of the insurance company, including city, state, and zip code;

(d) The insurance company telephone number;

(e) The insurance policy number issued to the vehicle;

(f) The effective date of the insurance policy;

(g) The policy expiration date.

(5) If the vehicle listed on the questionnaire or NOS was not insured on the insurance verification date shown on the questionnaire or NOS, the vehicle owner is to provide an explanation as to why the vehicle was not insured as required by Section 32-7A-4. If the vehicle was exempt from insurance requirements on the insurance verification date pursuant to Section 32-7A-5, the vehicle owner is to provide details of the exempt status.

(6) The vehicle owner, or his/her authorized representative, is required to sign the questionnaire or NOS in the place provided on the questionnaire or NOS if mailed or faxed to the Department.

(7) The Department must receive the required questionnaire or NOS information within 30 calendar days of the date of correspondence shown on the questionnaire or NOS form by one of the following methods:

(a) By entering information "on-line" at the Department's website and electronically transmitting it to the Department; or

(b) Faxing the questionnaire or NOS to the telephone number shown on the questionnaire or NOS; or

(c) Mailing the questionnaire or NOS to the address shown on the postage paid envelope.

(8) In accordance with Section 32-7A-7(f), any vehicle owner failing to respond to the questionnaire or NOS "shall be deemed to have registered or maintained registration of a motor vehicle in violation of Section 32-7A-4," and the Department shall suspend the registration.

(9) Also, in accordance with Section 32-7A-7(f), if the vehicle owner indicates on the questionnaire or NOS that the vehicle "was not covered by a liability insurance policy in accordance with Section 32-7A-4," and/or does not qualify for an exemption, the Department shall deem the vehicle to have been registered or registration maintained in violation of Section 32-7A-4, and the Department shall suspend the registration.

(10) In accordance with Section 32-7A-7(g), if the vehicle owner responds to the questionnaire or NOS "by asserting that his or her vehicle was covered by a liability insurance policy on the verification date stated in the department's request, the department may conduct a verification of the response by furnishing necessary information to the insurer named in the response." Insurance information received from vehicle owners at the time of reinstatement should be processed the same as information received from insurance questionnaires or NOS.

(11) If the insurer fails to respond within 30 calendar days to the NOS or responds that the vehicle listed on the questionnaire or NOS was not insured by the insurer in accordance with Section 32-7A-4, the Department shall suspend the registration.

(12) If a vehicle owner responds that the vehicle shown on the questionnaire or NOS has been sold or otherwise disposed of prior to the insurance verification date, the Department may select to place the registration or vehicle owner's name into a pool for subsequent verification of any vehicle owned by the owner.

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